

REMARKS

In reply to the Final Office Action dated August 7, 2006, Applicants propose to amend claims 29, 30, 32, 36, 38, and 41-52 to correct minor informalities and clarify the claimed invention. This Amendment does not present any new issues that would either require further consideration or materially complicate the issue for purposes of Appeal. Accordingly, Applicants respectfully request appropriate entry and consideration of this Amendment. Upon entry of this Amendment, claims 18-25 and 27-52 will remain currently pending.

At the outset, Applicants appreciate the Examiner's decision to withdraw the previous grounds for rejection under 35 U.S.C. § 102(e) based on Toliver (U.S. Patent No. 6,578,882). Applicants also appreciate the Examiner's indication that claims 18-25 and 37-39 are allowed.

Applicants further appreciate the Examiner's indication that claims 29, 40, 41, 43, 50, and 52 would be allowable if amended to overcome the two grounds for objection set forth on pages 2 and 4 of the Final Office Action. First, the Examiner objected to claims 42-51 as being improperly numbered. To obviate this ground for rejection, Applicants propose to renumber these claims as claims 43-52.

And second, the Examiner objected to claims 29, 36, 40, and 44-52 as being unsupported by the original disclosure. For instance, the Examiner contends that the phrase "reinforcement member extruded around the exterior" surface of the female end is "not supported by the disclosure which requires a separately applied reinforcing means of tape, adhesive layer or coating." Applicants disagree. The original disclosure

fully supports the claimed subject matter. For instance, the original disclosure states that:

The reinforcing means could be tape, an adhesive layer or a suitable coating, even **plastic**, containing fiberglass, metal, carbon fibers, or plastic fibers, such that the plastic pipe which normally exhibits viscoelastic characteristics when subjected to a predetermined level of interior pressure is precluded from expanding outwardly at the site of the sealing ring or gasket.

Original Specification at 22, ll. 14-22 (emphasis added). The term “plastic” refers to [a]ny of various organic compounds produced by polymerization and capable of being molded, **extruded**, cast into shapes and films, or drawn into filaments used as textile fibers.” THE AMERICAN HERITAGE COLLEGE DICTIONARY 1047 (3d Ed. 1997) (emphasis added). And the term “extrude” is defined as “[t]o shape (a **plastic**, for instance, by forcing it through a die.” *Id.* at 486 (emphasis added). In the context of the original disclosure, one of ordinary skill in the art would thus understand that the original disclosure encompasses a plastic reinforcement member that is formed by extrusion. As a result, the original disclosure thus fully supports the “extruded plastic” subject matter recited in claims 29, 36, 40, and 44-52.

Nevertheless, Applicants propose to amend claims 29, 36, 40, and 44-52 to obviate the Examiner’s concerns and avoid any further delays in the prosecution of this application. Applicants propose to amend claims 29, 36, 38, 41, 43, 44, 47, and 48 by deleting the term “extruded.” In light of the Examiner’s suggestion that the original disclosure includes a “separately applied reinforcing means,” Applicants propose to amend claims 29, 30, 32, and 44 by adding the terms “separately applied,” “separately

formed," "separately disposed," and "separately coating," respectively.¹ The claims thus continue to fully comply with the requirements of U.S. patent practice. And since Applicants proposed amendments will obviate the Examiner's concerns, claims 29, 40, 41, 43, 50, and 52 will be allowable.

As discussed on page 3 of the Final Office Action, the Examiner issued a new grounds for rejecting claims 27, 28, 30-36, 42, 44-49 and 51 under 35 U.S.C. § 102(b) as being anticipated by Hegler (U.S. Patent No. 5,996,635). Hegler, however, fails to disclose or suggest a reinforcing coating that is "***separately formed*** around the exterior surface of the female end" of a corrugating pipe, as recited in independent claim 30, as amended. Nor does Hegler provide any disclosure of a "ring ***separately disposed*** around the female end," as recited in independent claim 32, as amended. Hegler also fails to disclose or suggest a "reinforcing member ***separately coated*** around an outer surface of the female end," as recited in independent claim 44, as amended. As a result, Hegler cannot satisfy the anticipation requirements of 35 U.S.C. § 102. And since Hegler discloses the use of a reinforcing rib 17, which is ***integrally*** extruded together with a socket connection 13, it teaches away from the claimed invention. Hegler thus cannot either anticipate or render obvious claims 27, 28, 30-36, 42, 44-49 and 51.

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 18-25 and 27-52 in condition for allowance. Applicants submit that the proposed amendments of claims 29, 30, 32, 36, 38, and 41-

¹ Applicants also propose to amend claim 32 to make it clear that the terms "first material" and "second material" refer to a first and a second "type of material," such as plastic, fiberglass, carbon, or plastic fiber, as recited in dependent claim 36.

52 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner. Therefore, this Amendment should allow for immediate action by the Examiner.

Finally, Applicants submit that the entry of the Amendment would place the application in better form for appeal, should the Examiner continue to dispute the patentability of the pending claims.

Applicants, therefore, request the entry of this Amendment, the Examiner's reconsideration of the application, and the timely allowance of the pending claims.

Additionally, the Examiner is invited to telephone the undersigned Applicants' representatives at (202) 408-6052 if it would be helpful to further expedite the prosecution of this application and, thereby, minimize time and expense.

If any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this response, and not requested by attachment, such extension is hereby requested. If there are any fees due under 37 C.F.R. § 1.16 or 1.17 that are not enclosed, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge those fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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